

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date: ~~11-14-69~~
waived 9-11-71

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>DELBERT C. REIBERT, individually and on behalf of employees of the previously existing Sinclair Oil Corporation, the employees of Atlantic Richfield Company and employment agencies who provided temporary help for each corporation</p> <p>vs</p> <p>ATLANTIC RICHFIELD COMPANY and SINCLAIR OIL CORPORATION</p>		<p>For plaintiff:</p> <p>Stan P. Doyle and Donald E. Gasaway Suite 1600 Fourth National Bank Bldg Tulsa, Oklahoma 74119 1843 E. 15 74104</p> <p>For defendant:</p> <p>R. B. McDermott D. E. Hammer 1300 Natl Bank of Tulsa Bldg Tulsa, Oklahoma 74103</p> <p>Rex Short P. O. Box 521 Tulsa, Okla. 74101</p>			
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 10-1-69	Clerk	1969 9-15	Doyle	15 00	
J.S. 6 mailed 4-1-72	Marshal	9-18-69 C/D 12 3-23-72 Doyle 3-30-72 C.D.No.43		5 00	15 00 5 00
Basis of Action: Anti-Trust Suit	Docket fee				
	Witness fees				
Action arose at: Tulsa	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-15-69	Complaint filed and summons issued. ds	
10-7-69	Defendants' motion for an extension of additional time within which to move, plead or answer, filed. ds	
10-7-69	Order extending time to 10-28-69, filed. (MME-C1) ds	
10-8-69	Return on summons, filed. Served Atlantic Richfield Co. and Sinclair Oil Corp. by serving the Corporation Company in Okla. City, Okla. on 9-18-69. (Fees: \$8.00)m	
10-28-69	Motion for an extension of additional time to answer, filed. ds	
10-28-69	Order granting defendants until Nov. 7, 1969, to file answer. (AEB-J)g	
11-7-69	Joint answer of the defendants, filed. ds	
11-14-69	Demand for Trial by Jury, filed, by plaintiff, Delbert C. Reibert, js	
12-1-69	Motion for partial summary judgment, filed by plaintiff. ds	
12-1-69	Plaintiff's brief in support of partial summary judgment, filed. ds	
2-16-70	Defendants memorandum in response to plaintiff's motions for partial summary judgment, filed. ds	
2-19-70	Plaintiff's supplementary brief in support of summary judgment, filed. b	
2-24-70	Order overruling motion for partial summary judgment, filed. (AEB-J) ds	
3-16-70	Plaintiff's interrogatories to defendants pursuant to Rule 33, filed. b	
3-25-70	Defendants granted 60 days from this date to answer and/or object to plaintiffs' interrogatories. (AEB-J)g	
3-26-70	Defendants Atlantic Richfield Co. and Sinclair Oil Corp. granted an extension of time to file objections or answers to plaintiffs' interrogatories to and including 5-25-70. ds (AEB-J)	
5-20-70	Defendants' Objections to Interrogatories filed. h	
5-20-70	Application for Extension of Time to Answer Interrogatories filed. h	
5-21-70	Order filed allowing defendant Sinclair Oil Corp., 60 days (July 20, 1970) within which to answer those numbered interrogatories requested. (AEB-J)h	
6-4-70	Response to defendants' objections to interrogatories, filed. g	
6-4-70	Memorandum brief in response to defendants' objections to interrogatories, filed. g	
7-1-70	Stipulation of parties as to interrogatories, with Order of court approving same, filed. (AEB-J) ds <i>copies mailed to allys.</i>	
7-15-70	Supplemental Stipulation filed. h	
8-21-70	Parties to hold pre-trial prior to 9-21-70, and file pre-trial order no later than 9-28-70 (AEB-J)v	
9-11-70	Application for Pre-trial with the Presence of the Judge, filed by the Plft., filed. v	
1-6-71	It is ordered that plaintiff's application for pre-trial with the presence of the judge is denied, and parties are advised to follow Court procedure, and file pre-trial order within the period of 20 days, Jan. 26, 1971. Proceed with prescribed form. (AEB-J)h (parties notified)	
2-12-71	Proposal of pretrial order, filed. m	
2-12-71	Defendants' proposed pretrial order, filed. m Stipulation attached.	
3-9-71	Plaintiff's proposed pre-trial order, with brief attached, filed. b	
4-21-71	Case set for jury trial Wednesday 5-5-71 at 10:00 a.m. (AEB-J)m	
4-26-71	Joins application for continuance, filed. g	
4-27-71	Order to strick from its assignment for trial on 5-5-71 to be re-assigned on the next docket. Filed. (AEB-J)r	
5-28-71	Defendant's first answers to plaintiff's interrogatories, filed. g	
7-7-71	Pltf's Request for admission under Fed. Rule of Civil Procedure 26, Filed. r	
8-9-71	Deft's response to pltf's request for admissions, filed. m	
8-23-71	Deft's answers to interrogatories, filed. m	
9-2-71	Ordered by Court that this case is set for Jury Trial on Mon., 10-18-71, at 10:00 A. M.. (AEB-J) v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-16-71	Request of Plaintiffs filed.h	<i>letter mailed</i>
9-16-71	It is ordered that defendants granted 5 days to respond to request.h(AEB-J)h	
9-17-71	It is ordered that this case is stricken from Jury docket of October 18, 1971, for the reason that parties waived jury.(AEB-J)h	<i>notice mailed</i>
9-20-71	Defendant's answers to interrogatories, filed. g	
9-23-71	Application of Defendant, Atlantic Richfield Co., for an extension of time to respond to Plaintiff's Request, filed. v	
9-24-71	Order, extending time for defendant to respond to request of plaintiff, to 10-16-71, filed. (AEB-J) ds	<i>copy mailed</i>
10-4-71	Deft's Response to Pltf's Request filed Sept. 16, 1971 and Waiver of Jury Trial. Filed. r	
10-18-71	Plaintiffs' Reply to Defendants' Response to Plaintiff's Requests filed September 16, 1971, filed. v	
10-22-71	Case set for non-jury trial November 1, 1971, at 10:00 A.M. (AEB-J)v	
10-29-71	Case stricken from docket of 11-1-71 upon request of deft.(AEB-J)h	
10-29-71	Motion of Defendants for Summary Judgment, filed. v	
10-29-71	Memorandum in support of Defendants' Motion for summary judgment, filed. v	
10-29-71	Order by the Court that Plaintiff is granted 10 days from this date to respond to Defendants' Motion for summary judgment. (AEB-J)v	<i>copy mailed</i>
11-1-71	Answers to plaintiff's interrogatories and certificate of service, filed. ds	
11-8-71	Memorandum of the Plaintiffs in response to Defendants' Motion for Summary Judgment, filed. v	
11-10-71	Affidavit of Delbert C. Reibert, filed. m	
11-10-71	Supplemental affidavit of Delbert C. Reibert, filed. m	
11-10-71	Pltf's motion to produce, filed. m	
11-10-71	Certificate of service, filed. m	
11-10-71	Ordered by the Court that U.S. Magistrate conduct hearing on request of plaintiffs for certain rulings. (AEB-J)m	
11-10-71	Case called for hearing on request of plaintiffs for certain rulings. Pltf's request for order striking cause from jury docket is stricken; and the 3 following requests were passed: request for determination of class action and notification of class; request for order compelling defts' answer to interrogatories; and request for pretrial with the presence of the court. Defts. given 15 days to file further pleadings. Pltf. to prepare order. Jury waived by both parties. (MLB-Mag)m	
11-22-71	Brief of Plaintiff in support of Motion to Produce, filed. v	
11-24-71	Reply Memorandum in Support of Defendants' Motion for Summary Judgment, filed. v	
12-2-71	Findings and Recommendations of Magistrate, filed.	
	This matter heard on the 10th of Nov., 1971. All parties present. Magistrate finds that the Plaintiff's request for an order striking cause from jury docket has become moot; Defendants should have 15 days from this date to file a reply brief to the Plaintiff's Answer brief with regard to the Dft.'s Motion for Summary Judgment.(MLB-U.S.Mag)v	
12-2-71	Findings and Recommendations of Magistrate, filed.	
	Matter heard on the 10th of Nov., 1971. Parties represented. It is recommended that the parties shall have sixty days from the date of service upon the Pltf. of the documents requested within which to complete discovery; Deft.s should have the time reserved to them by the Fed. Rule of Civil Procedure 34 within which to make objection.(MLB-U.S.Mag)v	

DATE	PROCEEDINGS	Date Order or Judgment Noted
12-2-71	Order approving the findings and recommendations of the Magistrate, Filed. (AEB-J)v <i>copies mailed</i>	
12-6-71	Pltfs' motion for partial S/J, filed. m	
12-6-71	Brief in support of pltfs' motion for partial S/J, filed. m	
12-6-71	Pltfs' supplemental brief to call attention to recent supreme court decisions, filed. m	
12-6-71	Affidavit of Stan P. Doyle in support of motion for partial S/J, filed. m	
12-6-71	Ordered that deft. file responsive brief to pltfs' motion for partial S/J within 10 days. (AEB-J)m	
12-6-71	Supplement to the brief of defts on motion for S/J, filed. m	
12-8-71	Ordered that U.S. Magistrate conduct the hearing on Motions. (AEB-J)v	
12-8-71	Case called for hearing on the Motions. The U.S Magistrate recommends the following: Determination of Class Action and Notification of Class--Overruled. Order Compelling Defendants' Answer to Interrogatories--Passed. Pretrial with the Presence of the Court--Overruled. Defendant's Motion for Summary Judgment--Granted. Plaintiff's Motion to Produce--Moot. Plaintiff's oral Motion to Attach a map to the Affidavit--Granted. Plaintiff's Oral Motion for Partial Summary Judgment--Denied. Deft.'s Attorney, R. B. McDermott is to prepare the necessary orders. (MLB-U.S.Mag.) (Millie Ballard-CSR)v	
12-13-71	Application of the Plaintiff for order directing deft. to preserve evidence pending appeal, filed. v	
12-13-71	Brief in support of application for order directing Deft. to preserve evidence pending appeal, filed. v	
12-13-71	Ordered by the Court that the Deft. is granted 10 days from this date to respond to Plaintiff's Application for order directing deft. to preserve evidence pending appeal. (AEB-J)v	
12-23-71	Response to Application for Order Directing Def. to Preserve Evidence Pending Appeal of def. Atlantic Richfield, filed. rm	
2-7-72	Request for Oral Argument Before the Court, filed. v	
2-11-72	Ordered that Magistrate conduct hearing on pltf's application for order directing defts. to preserve evidence pending appeal. (AEB-J)hm	
2-11-72	Hearing held on pltf's applic. for order directing defts. to preserve evidence pending appeal. Motion sustained & parties given 5 days to submit an agreed-on recommendation & order. (MLB-Mag)hm	
2-17-72	Response of def. to pltf.'s request for oral argument, filed. rm	
3-20-72	Findings and Recommend. of Mag. Filed. (MLB-Mag.) r	
3-20-72	Findings and Recommend. of Mag. Filed. (MLB-Mag.) r <i>entered in error</i>	
3-20-72	Order approving the find. & Recommend. of the Mag. Filed. (AEB-J)r (Copies mailed to all attys.)	
3-20-72	Judgment filed and entered sustaining the Defts Motion of S/J. Pltf to take nothing, the Defts Atlantic Richfield and Sinclair Oil Corp, recover of the Pltf, Delbert C. Reibert, their costs of action, filed and entered. (AEB-J)r	
3-23-72	Notice of Appeal, filed by pltf. (copies to USCA and D.E. Hammer) rm	
3-23-72	Bond for cost on appeal, filed. rm	
3-23-72	Transcript of hearing before Magistrate on motions, 11-10-71 and 12-8-71, filed. (Millie Ballard, Rptr.)g	
3-31-72	Designation of record by pltf., filed. rm	
4-7-72	Appeal record (12 volumes, 2 boxes) sent to U.S.C.A. rm	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
2-1-73	Mandate & Opinions of USCA affirming judgment of 3-20-72, filed and spread of record.	
2-1-73	Statement of costs taxed by USCA against Delbert C. Reibert and in favor of Atlantic Richfield, et al, appellees, in sum of \$778.25, filed. g	
4-25-73	Recd. Supreme Court ruling denying petition for writ of certiorari on 4/16/73. rm	
7-10-73	Order, filed, directing Clerk to disburse to deflt. Atlantic Richfield Company the sum of \$778.25 in payment of judgment of costs against pltf. by USCA; Clerk further directed to show on dockets that judgment for such costs has been fully paid and satisfied & said judgment is completely released by said defts. (AEB-J)hm (copies mailed)	
11-26-73	Appeal record (12 vols.) received. g	

DATE	PROCEEDINGS	Date Order or Judgment Noted